

COOLEY GODWARD LLP  
STEPHEN C. NEAL (170085) (sneal@cooley.com)  
JOHN C. DWYER (136533) (dwyerjc@cooley.com)  
GRANT P. FONDO (181530)(fondogp@cooley.com)  
LAURA R. SMITH (205159) (laura.smith@cooley.com)  
MONIQUE R. SHERMAN (227494) (shermanmr@cooley.com)  
5 Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Telephone: (650) 843-5000  
Facsimile: (650) 857-0663

Attorneys for Defendants  
KEITH G. BAXTER, RONALD J. GOEDDE,  
CHARLES J. KITTRELL and RICHARD D. NYE

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

In re CORNERSTONE PROPANE  
PARTNERS LP SECURITIES  
LITIGATION,

Master File No. C03-2522 MHP

**CLASS ACTION**

**DECLARATION OF GRANT P. FONDO IN  
SUPPORT OF OFFICER DEFENDANTS'  
OPPOSITION TO PLAINTIFF'S MOTION  
FOR CLASS CERTIFICATION AND  
REQUEST FOR JUDICIAL NOTICE**

This Document Relates To:

ALL ACTIONS

Hearing: December 5, 2005  
Time: 2:00 p.m.  
Trial Date: Not yet set  
Judge: Hon. Marilyn Hall Patel

Grant P. Fondo declares and states as follows:

1. I am an attorney at law duly licensed to practice in the state of California. I am with the law firm of Cooley Godward LLP, counsel for Officer Defendants Keith G. Baxter, Ronald J. Goedde, Charles J. Kittrell, and Richard D. Nye ("Officer Defendants"). I have personal knowledge of the facts set forth herein and, if called and sworn as a witness, could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of excerpts of Gilbert H. Lamphere's deposition transcript taken October 17, 2005.

1           **3.** Attached hereto as Exhibit B is a true and correct copy of Gilbert H. Lamphere's  
2 biography, Bates labeled GHL00011.

3           **4.** Attached hereto as Exhibit C is a true and correct copy of Gilbert H. Lamphere's  
4 "Cornerstone Summary," Bates labeled GHL00012, redacted for Lead Plaintiff's confidentiality.

5           **5.** Attached hereto as Exhibit D is a true and correct copy of Cornerstone's Form 10-K for  
6 the year ended June 30, 1998 filed with the SEC on September 28, 1998.

7           **6.** Attached hereto as Exhibit E is a true and correct copy of Cornerstone's Form 10-K for  
8 the year ended June 30, 1999 filed with the SEC on September 28, 1999.

9           **7.** Attached hereto as Exhibit F is a true and correct copy of Cornerstone's Form 10-K for  
10 the year ended June 30, 2000 filed with the SEC on September 28, 2000.

11           **8.** Attached hereto as Exhibit G is a true and correct copy of the press release dated  
12 August 6, 1998, entitled "CornerStone Announces Higher Fourth Quarter Earnings; EBITDA up  
13 157% Over the Same Period Last Year."

14           **9.** Attached hereto as Exhibit H is a true and correct copy of the press release dated  
15 November 4, 1998, entitled "CornerStone Exceeds First Call's Earnings Estimate for the First  
16 Quarter of Fiscal 1999 by 4.2% or \$.02 Per Unit."

17           **10.** Attached hereto as Exhibit I is a true and correct copy of the press release entitled  
18 "CornerStone Announces Weather-Affected Second Quarter Earnings," cited in the Complaint at  
19 ¶ 24 as February 3, 1999.

20           **11.** Attached hereto as Exhibit J is a true and correct copy of the press release dated May 3,  
21 1999, entitled "CornerStone Propane Partners, L.P. Reports 46% Increase in EBITDA for Third  
22 Quarter of Fiscal 1999."

23           **12.** Attached hereto as Exhibit K is a true and correct copy of the press release dated  
24 August 4, 1999, entitled "Fourth Quarter Earnings."

25           **13.** Attached hereto as Exhibit L is a true and correct copy of the press release dated  
26 November 2, 1999, entitled "First Quarter Earnings CornerStone Propane Partners, L.P. Reports  
27 70% Increase in Earnings Before Interest, Taxes, Depreciation and Amortization For the First  
28 Quarter of Fiscal 2000."

**16.** Attached hereto as Exhibit O is a true and correct copy of the press release dated August 2, 2000, entitled “CornerStone Propane Partners, L.P. Announces Results for FY 2000 and 4th Quarter 2000.”

COOLEY GODWARD LLP

GRANT P. FONDO

**DECLARATION OF GRANT P. FONDO IN SUPPORT  
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